

FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Market Disputes Resolution Division
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By E-mail

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Re: *AT&T Texas v. AEP Texas, Inc.*, Proceeding No. 22-357, Bureau ID. No. EB-22-MD-004

Dear Counsel:

We grant the Joint Motion for Adjustments to the Procedural Schedule submitted by AT&T Texas (AT&T) and AEP Texas, Inc. (AEP),¹ in which the parties propose a method for submitting hard copies of confidential versions of filings and request adjustments to the deadlines set forth in the Notice of Complaint.²

As requested in the Motion,³ the hard copy of the confidential version of a filing may be submitted to the Commission by submitting them (1) to a national courier on the day of the deadline for overnight delivery to the Commission; or (2) by hand-delivery to the Commission on the business day following the applicable deadline. The confidential version of any documents should, in all other respects, be filed in accordance with the Office of the Secretary's instructions⁴ and the Notice of Complaint.

¹ Joint Motion for Adjustments to Procedural Schedule, Proceeding No. 22-357; Bureau ID No. EB-22-MD-004 (filed Oct. 18, 2022) (Motion).

² Notice of Complaint, Proceeding No. 22-357; Bureau ID No. EB-22-MD-004 (dated Oct. 11, 2022) (Notice of Complaint).

³ See Motion at 2, para. 5.

⁴ At present, the Commission is not permitting hand deliveries, messenger deliveries, or manual paper filings at its headquarters. Confidential pleadings and exhibits should be delivered to the FCC at 9050 Junction Drive, Annapolis Junction, MD 20701. See <https://www.fcc.gov/guidelines-filing-paper-documents>. As stated in the Notice of Complaint, we request that the submission of confidential documents include three additional unredacted hard copies marked as "Courtesy Staff Copies. EB-MDRD, 202-418-7330."

The parties state in the Motion that the deadlines in the Notice of Complaint would be difficult to meet because of a variety of scheduling conflicts at both the client and counsel level and because of the intervening holidays.⁵ Accordingly, as requested in the Motion, the schedule for this proceeding is revised as follows:

- 1) By **November 10, 2022**, AEP must file and serve its response to AT&T's First Set of Interrogatories.⁶
- 2) By **December 2, 2022**, AEP must file and serve its answer to the Complaint⁷ and, if it chooses, interrogatories.
- 3) By **December 9, 2022**, AT&T must file and serve any objections to AEP's interrogatories.
- 4) By **January 13, 2023**, AT&T must file and serve its reply to the answer and, if it chooses, a second set of interrogatories.
- 5) By **January 20, 2023**, AT&T must file and serve its response to AEP's interrogatories and AEP must file and serve any objections to AT&T's second set of interrogatories.
- 6) By **January 31, 2023**, the parties must file and serve their joint statements.
- 7) By **February 3, 2023**, AEP must file and serve its response to AT&T's second set of interrogatories.
- 8) By **February 17, 2023**, discovery will close.
- 9) By **February 28, 2023**, briefing (if any) will close.

Please note that these extensions also extend the review period for final action on the Complaint.

We issue this letter ruling under sections 4(i), 4(j), and 224 of the Act, 47 U.S.C. §§ 154(i), 154(j), 224, sections 1.3, 1.720-1.740, and 1.1401-1.1415 of the Commission's rules, 47 CFR §§ 1.3, 1.720-1.740, 1.1401-1.1415, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311.

FEDERAL COMMUNICATIONS COMMISSION

Lisa Saks

Lisa Saks
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⁵ See Motion at 1, para. 3.

⁶ AT&T's First Set of Interrogatories to AEP Texas Inc., Proceeding No. 22-357; Bureau ID No. EB-22-MD-004 (filed Oct. 4, 2022).

⁷ Pole Attachment Complaint, Proceeding No. 22-357, Bureau Id. No. EB-22-MD-004 (filed Oct. 4, 2022) (Complaint).